

Serial No. **09/939,627**
Amendment dated **June 30, 2005**
Reply to Office Action of **April 6, 2005**

Docket No. **P-0251**

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-16 are pending in the present application with claims 1, 2, 4-6, 8, 9 and 13 having been amended by the present amendment.

In the outstanding Office Action, a new oath or declaration was requested; the drawings, specification and claims were objected to; claims 5 and 9 were indicated as allowable if rewritten in independent form; claims 4 and 14 were rejected under 35 U.S.C. § 112, second paragraph; claims 1, 3, 6-8 and 13 were rejected under 35 U.S.C. § 102(e) as anticipated by Blackburn et al.; and claims 2, 4, 10-12, 15 and 16 were rejected under 35 U.S.C. § 103(a) as unpatenable over Blackburn et al. in view of applicants background art (ABA).

Applicants thank the examiner for the indication of allowable subject matter. In light of this indication, dependent claim 9 has been rewritten in independent form.

Regarding the objection to the oath or declaration, the Office Action indicates the oath or declaration is defective because it does not include a notary's signature. However, it is respectfully submitted a Declaration (which was filed in the present application) does not require a notary's signature or seal. Rather, the notary signature is used only for oaths and not Declarations.

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Further, the specification and claims have been amended in light of the objection to the drawings, specification and claims. Accordingly, it is respectfully requested these objections be withdrawn.

In addition, claim 4 has been amended in light of the rejection of claims 4 and 14 under 35 U.S.C. § 112, second paragraph, set forth in the Office Action. Regarding claim 14, the Office Action indicates there is confusion as to whether the parallel data unit needs to be multiplexed into the virtual container or if it can be simply read directly into the virtual container. It is respectfully noted the data is read from the elastic buffer 31 (see Fig. 4, for example) as parallel asynchronous signals Pd of 8 bits as a parallel data byte unit. The data byte units are then multiplexed in the VC1 mapper 34 (see paragraph [28], for example). Accordingly, in light of the above comments, it is respectfully requested this rejection be withdrawn.

Claims 1, 3, 6-8 and 13 stand rejected under 35 U.S.C. § 102(e) as anticipated by Blackburn et al. This rejection is respectfully traversed.

Independent claim 1 has been amended to include some of the subject matter recited in claim 2. In particular, Independent claim 1 now recites that the VC mapping unit includes a plurality of elastic buffers that write the DS asynchronous signal as a bit unit and read the DS asynchronous signal as the byte unit comprising a parallel asynchronous signal of 8 bits. Independent claims 6 and 13 include similar features in a varying scope.

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Thus, because the asynchronous data stored in the elastic buffers are read and processed as a byte unit including 8 bits, there is no need to include a serial/parallel changing unit as in the background art (i.e., S2P 22 in Fig. 2 is not required).

Regarding reading the signal as a byte unit, the Office Action indicates Blackburn et al. discloses a plurality of elastic buffers that read the DS asynchronous signal as a byte unit and cites the DSO component byte element of DS1 (see item 22 regarding the rejection of dependent claim 2 in the Office Action). However, it is respectfully noted a DS1 signal generally includes 24 DSO voice channels that are multiplexed together. The data in Blackburn et al. is not written into elastic buffers as a bit unit asynchronous signal and then read as a parallel asynchronous signal of 8 bits as a byte unit. Rather, as shown in Figure 30 of Blackburn et al., the DSO data is multiplexed as 24 channels into a DS1 signal.

Accordingly, it is respectfully submitted independent claims 1, 6 and 13 and each of the claims depending therefrom are allowable. Further, it is respectfully submitted the other rejection has also been overcome as ABA also does not teach or suggest the claimed features.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the

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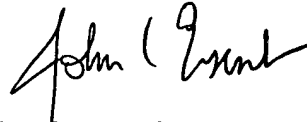
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application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **John C. Eisenhart**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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